

United States District Court
Southern District of Texas
FILED

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

JUL 16 2018

UNITED STATES OF AMERICA

McAllen, Division

V.

CRIMINAL COMPLAINT

David J. Bradley, Clerk

Case Number: M-18-1435-M

Viviriana MARTINEZ

A215 697 826

YOB: 1995

COC: United States

I the undersigned complainant, state the following is true and correct to the best of my knowledge and belief. On or about July 14, 2018 in Hidalgo County, in the Southern District of Texas defendant(s) did,

knowing or in reckless disregard of the fact that an alien has come to, entered, or remain in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law and conspired to bring alien to the United States disregarding any official action which may later be taken to such alien,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) & 1324(a)(1)(A)(v) I further state that I am a(n) Customs and Border Protection Officer and that this complaint is based on the following facts:

The defendant, a United States citizen, attempted to bring illegally into the United States, through the Progreso Port of Entry, alien child J.A.C.H. (female, 15 years old), a Mexican citizen, as a U.S. citizen. At pedestrian primary, the defendant claimed the child as a daughter of a friend and claimed that she was a U.S. citizen. To substantiate her claim, the defendant presented a State of Texas Birth Certificate bearing the name, X.L. Due to child not answering officer questions, subjects were referred into secondary for further inspection. During secondary inspection the child revealed her true correct name, and stated that she was born in Mexico.

The defendant, on a sworn statement, stated that she traveled to Nuevo Progreso, Mexico to pick up the child at a convenient store. The defendant instructed the child to memorize the birth certificate and to answer any questions the immigration officer ask her. The defendant stated the child was going to remain at her house in Weslaco, Texas.

The defendant further admitted to knowing the child was undocumented and to knowing she was violating the law.

The child was processed and returned back to Mexico with biological mother.

Continued on the attached sheet and made a part of this complaint.

☐ Yes

☒ No

Sworn to before me and subscribed in my presence,

Approved By:

James Sturgis
James Sturgis

Lorenzo Botello
Signature of Complainant

Lorenzo Botello

Printed Name of Complainant

July 16, 2018

Date

Peter E. Ormsby

U.S. Magistrate Judge

Name and Title of Judicial Officer

McAllen, Texas

City and State

Peter E. Ormsby
Signature of Judicial Officer